June 3, 2020

The Honorable Jesse M. Furman United States District Court Southern District of New York 40 Centre Street, Room 2202 New York, NY 10007

> Re: State of New York v. Chad F. Wolf, 20 Civ. 1127 (S.D.N.Y.) Lewis-McCoy v. Chad Wolf, 20 Civ. 1142 (S.D.N.Y.)

Dear Judge Furman:

The parties to the above-referenced matters submit this joint letter pursuant to the Court's June 1, 2020 order. ECF Nos. 59, 65. Having met and conferred on June 2, 2020, the parties agree that the briefing schedule for the upcoming summary judgment motions should be adjusted in light of plaintiffs' pending motion to compel defendants to complete the administrative record. ECF Nos. 50, 56. Accordingly, we propose the following revised schedule:

- Defendants shall file any motion for summary judgment as to the Administrative Procedure Act claims within 10 days of the Court's ruling on plaintiffs' motion to compel defendants to complete the administrative record;
- Plaintiffs shall file any opposition and any cross-motion (supported by one consolidated memorandum of law) within 3 weeks of the date defendants file their motion for summary judgment;
- Defendants shall file any reply and opposition to any cross-motion (also supported by one consolidated memorandum of law) within 2 weeks of the date plaintiffs file their opposition and cross-motion; and
- Plaintiffs shall file any reply in support of their cross-motion within 1 week of the date defendants file their reply and opposition.

We thank the Court for its attention to these matters.

Respectfully,

GEOFFREY S. BERMAN United States Attorney

By: /s/ Zachary Bannon
CHRISTOPHER K CONNOLLY
ELIZABETH J. KIM
ZACHARY BANNON
Assistant United States Attorneys

United States Attorney's Office for the Southern District of New York 86 Chambers St., 3rd Floor New York, NY 10007

Tel.: (212) 637-2728, 2745, 2761 Email: Zachary.Bannon@usdoj.gov Elizabeth.Kim@usdoj.gov Chirstopher.Connolly@usdoj.gov

Attorney for the Defendants

By: /s/ Matthew Colangelo

Matthew Colangelo,

Chief Counsel for Federal Initiatives
Elena Goldstein, Deputy Chief, Civil Rights Bureau
Daniela Nogueira, Assistant Attorney General
Office of the New York State Attorney General
28 Liberty Street
New York, NY 10005

New York, NY 10005 Tel.: (212) 41606057

Email: matthew.colangelo@ag.ny.gov

Attorneys for the State of New York

NEW YORK CIVIL LIBERTIES UNION FOUNDATION

By: /s/ Antony P.F. Gemmell

Antony P.F. Gemmell Molly K. Biklen Jessica Perry Jordan Laris Cohen Christopher T. Dunn 125 Broad Street, 19th Floor New York, NY 10004

New York, NY 10004 Tel: (212) 607-3320

Email: agemmell@nyclu.org

Attorneys for the Plaintiffs and the Class in Lewis-McCoy v. Wolf

The proposed deadlines are adopted. The Clerk of Court is directed to terminate 20-CV-1127, ECF No. 58, and 20-CV-1142, ECF No. 64. SO ORDERED.

une 3, 2020